

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL ERVIN FULLER,

Defendant.

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Case No. 3:20-cr-0018

ORDER

BEFORE THE COURT is the Report and Recommendation of the magistrate judge recommending that the Court accept Michael Ervin Fuller's ("Fuller") plea of guilty (ECF No. 39) to Count One of the Information, charging conspiracy to possess with intent to distribute marijuana in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(D). After conducting a *de novo* review of the record and pursuant to Rule 11 of the Federal Rules of Criminal Procedure, the Court finds that Defendant Fuller entered his guilty plea knowingly and voluntarily, and that there was a factual basis for the plea. The Court, therefore, will adopt the Report and Recommendation and find Fuller guilty as to Count One of the Information, charging conspiracy to possess with intent to distribute marijuana in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(D). Accordingly, it is hereby

ORDERED that the Report and Recommendation (ECF No. 37) is **ADOPTED**; it is further

ORDERED that Defendant Michael Ervin Fuller's plea of guilty as to Count One of the Information, charging conspiracy to possess with intent to distribute marijuana in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(D), is **ACCEPTED**, and that Defendant Fuller is adjudged **GUILTY** on that count; it is further

ORDERED that, pursuant to Fed. R. Crim. P. 32(c)(1)(A), the U.S. Probation Office shall conduct a presentence investigation for the preparation of a presentence report; it is further

ORDERED that the U.S. Probation Office shall disclose the preliminary presentence report to the parties no later than January 11, 2020; it is further

ORDERED that the parties shall submit any objections or corrections to the preliminary presentence report to the U.S. Probation Office no later than January 25, 2021; it is further

ORDERED that the U.S. Probation Office shall disclose the final presentence report to the parties and the Court no later than February 16, 2021; it is further

ORDERED that the parties shall file their sentencing memoranda no later than March 2, 2021; it is further

ORDERED that a sentencing hearing is **SCHEDULED** to commence promptly at 9:00 A.M. on March 11, 2021, in St. Thomas Courtroom No. 1 before District Judge Robert A. Molloy.

Date: November 18, 2020

/s/ Robert A. Molloy
ROBERT A. MOLLOY
District Judge